

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VERITAS OPERATING CORPORATION, a
Delaware corporation,

Plaintiff,

v.

MICROSOFT CORPORATION, a Washington
corporation,

Defendant.

MICROSOFT CORPORATION, a Washington
corporation,

Counterclaim Plaintiff,

v.

VERITAS OPERATING CORPORATION, a
Delaware corporation, and VERITAS
SOFTWARE CORPORATION, a Delaware
corporation,

Counterclaim Defendants.

CASE NO. C06-0703-JCC

ORDER

This matter comes before the Court for review of the Special Master's Report and Recommendation (Dkt. No. 394) on Veritas Operating Corporation's Motion for Summary Judgment of Non-infringement and Invalidity of U.S. Patent No. 5,888,147. The Court has reviewed de novo the Special Master's Report and Recommendation ("R&R"), the parties' respective objections and responses

1 thereto (Dkt. Nos. 405, 410), the briefing and exhibits presented to the Special Master in the first
2 instance, and all other relevant documents in the case file. The Court has determined that oral argument
3 is not necessary.

4 The Court hereby APPROVES and ADOPTS the R&R with respect to non-infringement,
5 APPROVES and ADOPTS the R&R with respect to invalidity in view of Guy, APPROVES and
6 ADOPTS the R&R with respect to invalidity of asserted claims 9 and 10 in view of Purdin and Ruan, and
7 REJECTS the R&R respecting invalidity of asserted claims 1, 3–4, 6, 8, and 13–14 in view of Purdin.

8 Accordingly, the Court hereby GRANTS Veritas' Motion for Summary Judgment of Non-
9 infringement and Invalidity of U.S. Patent No. 5,588,147 (Dkt. No. 218).

10 SO ORDERED this 11th day of March, 2008.

11
12 
13 John C. Coughenour
UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25